

15. (Amended) A plant as set forth in claim 11, in which said nucleic acid does not naturally occur, and in which, due to the introduction of the nucleic acid of SEQ ID NO: 1, an ozone-inducible gene expression of a gene is conveyed.

27. (Amended) A method for the production of transgenic plants or plant cells comprising: introducing into said plant or plant cell a nucleic acid molecule comprising the sequence as set forth in claim 4 in operative linkage to one or several genes, the expression of which is not naturally or not substantially induced by ozone, wherein said genes are ozone inducible, due to the introduction of said nucleic acid molecule.

33. (Amended) A method for producing ozone-inducible characteristics in transgenic plants or plant cells comprising:

inserting a nucleic acid molecule comprising the sequence, as set forth in claim 4 into genes of said plants or plant cells which are not naturally or not substantially inducible through ozone.

39. (Amended) The transgenic plant or constituent or propagation material of claim 11, wherein the transgenic plant constituent or propagation material is a protoplast, a plant cell, a callus, a seed, a tuber, a cutting, or an offspring.

42. (Amended) A plant as set forth in claim 41, wherein the grain is oat, wheat, rye, barley, rice, millet or corn.

44. (Amended) A method as set forth in claim 27, wherein the one or several genes are reporter genes.